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General and complete disarmament

Measures to prevent terrorists from acquiring weapons of mass destruction

Report of the Secretary-General

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I. Introduction

1. In its resolution 63/60, entitled "Measures to prevent terrorists from acquiring weapons of mass destruction", the General Assembly urged all Member States to take and strengthen national measures, as appropriate, to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture. The Assembly requested the Secretary-General to compile a report on measures already taken by international organizations on issues relating to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction, to seek the views of Member States on additional relevant measures, including national measures, for tackling the global threat posed by the acquisition by terrorists of weapons of mass destruction and to report to the Assembly at its sixty-fourth session. The present report is submitted in response to that request.

2. By a note verbale dated 11 February 2009, Member States were invited to inform the Secretary-General of the measures taken, and to communicate their views on the issue. On 6 February 2009, letters were also dispatched to relevant international organizations, including relevant bodies and agencies of the United Nations, inviting them to provide executive summaries of their contributions for inclusion in the report of the Secretary-General, while their submissions, in extenso, are posted on the website of the Office for Disarmament Affairs, if so requested by the invited organization prior to the issuance of the report as a document of the United Nations. Organizations that had reported their relevant activities in 2007 were invited to submit only new information in relation to what they had previously submitted.

3. As at 2 July 2009, replies had been received from Andorra, Belarus, Kazakhstan, Lebanon, Mexico, Nicaragua, Panama, Poland, Qatar, Tajikistan, Thailand and Ukraine, which are reproduced or summarized in section II of the present report. Replies were also received from 10 international organizations and are summarized in section III of the present report.

II. Replies received from Member States

Andorra

[Original: French]
[23 April 2009]

1. The Principality of Andorra is a country with a long tradition of peace, which has lived through more than seven centuries without war or conflict and has always expressed its support at the international level for disarmament measures. Andorra should like to recall that it has no army and possesses no weapons of mass destruction of any kind, whether biological, chemical or nuclear. Furthermore, Andorra has never allowed the development on its territory of any activity or industry related to the use of nuclear, chemical or biological products. Andorra does not produce, develop, market, buy, possess, use or have stocks of any chemical, biological or nuclear weapons, their delivery systems or the products mentioned.

2. Lastly, the Principality of Andorra also reports that it has adopted 12 of the 13 United Nations counter-terrorism conventions and that it cooperates with the committees established in pursuance of Security Council resolutions by providing the information that they request. In that connection, Andorra informs the Office for Disarmament Affairs that it will find additional information on Andorra's laws and procedures relating to countering the proliferation of nuclear weapons in the reports provided to the Committee established pursuant to Security Council resolution 1540 (2004).

Belarus*

[Original: Russian]
[28 May 2009]

1. Significant changes have occurred in the Republic of Belarus with regard to the enhancement of national nuclear and radiation safety legislation and regulatory infrastructure. The changes attest to the fact that Belarus' obligations under the Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Acts of Nuclear Terrorism are being met.

2. In August 2008, the Act of the Republic of Belarus on the use of nuclear energy entered into force. Pursuant to article 7 of the Act, in order to implement State regulation of activities to guarantee safety in the use of nuclear energy, the Ministry of Emergency Situations of the Republic of Belarus, within its competence, exercises State oversight of nuclear and radiation safety as well as physical protection for sites where nuclear energy is used. Article 23 of the Act establishes that measures to ensure the physical protection of a nuclear facility and/or storage site should be planned for at all stages of design, construction, commissioning, operation, limitation of operating specifications, operating time limit extension, decommissioning and also during handling of nuclear materials, spent nuclear materials and/or operational radioactive waste.

3. A Belarus Council of Ministers decision on approval of the regulations for the physical protection of sites where nuclear energy is used and State oversight of such physical protection will be established in the very near future, in accordance with the plan of work of the government bodies on implementing the Act of Belarus on the use of nuclear energy, approved on 22 September 2008 by the First Deputy Prime Minister of Belarus, Vladimir Semashko.

4. Under Presidential decree No. 565 of 12 November 2007 on certain measures related to the construction of nuclear power stations, a regulatory body, the Department of Nuclear and Radiation Safety of the Ministry of Emergency Situations of Belarus, has been established, and the regulations governing the Department have been approved. Pursuant to those regulations, its main tasks are to exercise State oversight in the maintenance of nuclear and radiation safety and monitoring of legal compliance in the area of nuclear and radiation safety.

5. The obligations of Belarus within the framework of the Non-Proliferation Treaty safeguards agreement are being fully met. The safekeeping of nuclear

* The full text of the information provided by the Government of Belarus is available on the website of the Office for Disarmament Affairs (http://www.un.org/disarmament). An executive summary was provided for inclusion in the present report.

material and storage conditions as well as the state of physical protection for nuclear material and facilities are guaranteed. In November 2005, the Republic of Belarus concluded an Additional Protocol to the Agreement between the Republic of Belarus and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons.

6. The Republic of Belarus is fully implementing the provisions of the Convention on Nuclear Safety.

7. Regulatory acts governing monitoring of the movement of nuclear materials across the customs frontier of the Republic of Belarus are in effect.

8. International cooperation includes an Agreement between the Governments of Belarus and the People's Republic of China on cooperation in the peaceful use of nuclear energy, already signed, and an Agreement between the Governments of Belarus and the Russian Federation on cooperation in the use of nuclear energy for peaceful purposes, currently at the signing stage.

9. To prevent acquisition by terrorists of weapons of mass destruction and their delivery systems and materials and technologies related to their manufacture, the Armed Forces of Belarus carry out an annual inventory of ionizing radiation sources, monthly monitoring of the safety of ionizing radiation sources and ongoing monitoring of the radiation, chemical and biological conditions in areas where military units are deployed.

Kazakhstan

[Original: Russian]
[2 July 2009]

In order to comply with General Assembly resolutions on the control and limitation of documentation prepared by the Secretariat and the guidelines of the Secretary-General for reports drafted and/or compiled by the Secretariat, the reply received from the Government of Kazakhstan has not been reproduced since it exceeded the acceptable page limit. The full text of the reply is available on the website of the Office for Disarmament Affairs (http://www.un.org/disarmament).

Lebanon*

[Original: Arabic]
[21 May 2009]

1. Lebanon affirms that:

- It does not possess weapons of mass destruction and abides by United Nations resolutions that seek to prevent terrorists from using or acquiring such weapons;
- It has introduced laws and regulations to permit the monitoring of the export, transit and cross-border movement of all types of weapons, prohibit trafficking

* The full text of the information provided by the Government of Lebanon is available on the website of the Office for Disarmament Affairs (http://www.un.org/disarmament). An executive summary was provided for inclusion in the present report.

therein and provide for the prosecution of terrorists, should there be any. Lebanese law prohibits the harbouring of terrorists;

- It is encouraging closer international cooperation, participates in international counter-terrorism efforts and has developed the necessary legislation and strict deterrent regulations needed to arrest, monitor and pursue terrorists, should there be any;
- It strives to prevent the proliferation of such weapons, promotes arms control and supports the establishment of a nuclear-weapon-free zone in the region of the Middle East. It is opposed to the use or the threat of use of those weapons;
- It condemns all forms of terrorism and is in favour of coordinating international counter-terrorism efforts;
- It is deeply concerned by the failure of Israel to comply with international law, thereby constituting a grave threat to all States in the region.

2. Lebanon has also taken the following measures:

A. Security

At the direction of the Government and operating under the direct supervision of the Public Prosecutor (Court of Cassation), the Lebanese security forces endeavour to identify and break up terrorist cells and networks, arrest their members and bring them before the competent court. The security forces also seize all weapons belonging to such groups and cells, whether they be light or heavy weapons, explosives or any other material that can be used to cause great harm, such as chemical or bacteriological agents. A quantity of cyanide was seized when the members of one terrorist network were arrested.

B. Legislation

With respect to legislation, the draft amended Lebanese Penal Code now includes the crime of bioterrorism. In addition to setting out the penalties for bioterrorism, the amended Code contains provisions on the import, storage and manufacture of biological material. The draft Code also calls for the creation of a supreme body, composed of two members from each of the Ministries of Defence, Interior, Health and Environment, as well as a representative from the Lebanese Customs, responsible for controlling all ports and harbours and land, air and sea borders and preventing the entry of such material, unless authorized by that same authority. In addition, the draft Code calls for the installation of modern equipment at border crossings and ports in order to detect chemical, bacteriological, biological and nuclear material.

Mexico*

[Original: Spanish]
[3 June 2009]

Multilateral measures

1. Mexico, during the ninth regular session of the Inter-American Committee against Terrorism (CICTE), promoted the adoption of the Declaration on Strengthening Border Controls and International Cooperation in the Fight against Terrorism. Furthermore, Mexico has assumed the presidency of CICTE for 2009 and will promote activities that strengthen border controls.

2. The National Nuclear Safety and Safeguards Commission (CNSNS) maintains constant contact with the International Atomic Energy Agency (IAEA) on the subject of safeguards and nuclear physical security, in order to comply with the instruments in that area to which Mexico is a party.

Bilateral measures

3. On 15 April 2009, the Ministry of the Navy signed a Letter of Intent with the United States Northern Command and with the United States Coast Guard, with a view to strengthening information sharing and cooperation between their organizations with regard to maritime security and protection in order to improve their mutual capacity for operational coordination.

4. In addition, CNSNS has collaborated closely with the General Customs Administration on the megaport project being conducted with the United States, the goal of which is to install radioactive and nuclear material detection equipment at Mexico's main cargo ports.

National measures

5. Mexico has made efforts to strengthen its warning system and system for monitoring information on manifests and airway bills, in order to generate information that can be used to identify and alert customs posts to potential risks of illegal trafficking of precursor chemicals, arms, drugs and marketable securities, and piracy.

6. In the area of interdepartmental coordination, on 7 March 2008 the Ministry of the Navy and the Tax Administration Service signed the basic coordination documents for combining their efforts and allocating human resources for the joint implementation of monitoring, surveillance and security measures at Mexico's maritime customs posts.

7. In addition, on 21 January 2009, the General Customs Administration and the Ministry of the Navy signed a coordination and cooperation agreement in order to work together to improve national surveillance, monitoring, protection and security in special tax areas, customs houses and ports.

* The full text of the information provided by the Government of Mexico is available on the website of the office for Disarmament Affairs (http://www.un.org/disarmament). An executive summary was provided for inclusion in the present report

8. In 2003, CNSNS began its close collaboration with the General Customs Administration to participate in a training programme in the identification and detection of radioactive materials for front-line officials at the forty-nine customs posts.

Nicaragua

[Original: Spanish]
[6 March 2009]

1. Nicaragua does not possess weapons of mass destruction and the terrorism issue which has caused so many problems for other States has not appeared in Nicaraguan territory. Nicaragua therefore considers it essential to promote the universalization, transparent application and compliance with international agreements on arms control, in particular the commitments undertaken by Member States under the various international conventions and treaties on disarmament and counter-terrorism. Nicaragua has an efficient legal system that supports its counter-terrorism controls and is a party to 14 international (global and regional) counter-terrorism instruments.

2. Promoting the universalization, transparent application and compliance with international agreements would enhance the transparency of arms purchases and security. It would contribute to building confidence among States and would reduce the level and scale of military spending. It would be possible to achieve full human development, which is understood as sustainable development that is people-centred and exercised in an environment of governance and peace.

Panama

[Original: Spanish]
[15 May 2009]

1. In connection with General Assembly resolution 63/30, the Republic of Panama considers that, as a strategic link in world trade and a transit country, it supports the efforts of the international community to establish measures for strengthening controls to prevent terrorist groups from acquiring weapons of mass destruction, their means of delivery and technologies related to their manufacture.

2. The Republic of Panama supports this initiative and draws attention to its development of a new vision of security, emphasizing the security of global transport and trade, through the adoption of the Panamanian Initiative for Secure Trade and Transportation (IPC&TS), as a means of reducing the threat from international organized crime and terrorism in their various forms. This involves programmes for the non-intrusive inspection of containers to detect illicit trafficking in dual-use goods and materials intended for the manufacture of weapons of mass destruction.

3. The Republic of Panama has strengthened the analysis and operational units involved in combating terrorism in the various security agencies and the penalties for the relevant criminal acts are set out in Act No. 14 of 18 May 2007.

4. Act 14 of 2007, in its article 287, specifies a penalty of from 20 to 30 years of imprisonment for any person who, with the aim of disturbing the public peace, causes panic, terror or fear in the population or part of the population, or uses radioactive material, weapons, fire, explosives, biological or toxic substances or any other means of mass destruction or element with such potential, against living beings, public services, property or other items.

5. The penalty shall be a term of imprisonment of from 25 to 30 years for the heads of organizations or terrorist cells or for any person who helps to establish them or who causes the death of one or more persons.

6. Article 293 provides that anyone who uses genetic engineering to produce biological weapons or weapons to destroy humankind shall be punished with a term of imprisonment of from 15 to 25 years.

7. Article 436 of the Act provides that anyone who uses or orders the use of means or methods of combat that are prohibited or cause unnecessary suffering or excessive, lasting and serious damage to the natural environment, or that adversely affect the health or survival of the population, shall be penalized with a term of imprisonment of 15 years.

8. The same penalty shall be applied to whoever develops, produces, stores, transfers or does not destroy bacteriological, biological, toxic or chemical weapons or anti-personnel mines.

9. The new Penal Code in its Chapter VIII on the possession of and trafficking in arms and explosives, in articles 327, and following, establishes the penalty for trafficking and unlawful possession of firearms as a term of imprisonment of from four to seven years, with an increased penalty for aggravating circumstances, on a case-by-case basis.

10. Similarly, Act 48 of 30 August 2004, which criminalizes gang membership and the possession of and trade in prohibited weapons, sets out measures to protect the identity of witnesses and modifies provisions of the Penal and Judicial Codes and establishes a term of imprisonment for whoever possesses, purchases, sells, manufactures or transfers prohibited or military weapons.

Poland*

[Original: English]
[29 May 2009]

1. Poland is a strong supporter of all international efforts aimed at preventing terrorists from acquiring weapons of mass destruction, in particular General Assembly resolution 63/60, Security Council resolution 1540, the Global Initiative to Combat Nuclear Terrorism and the Proliferation Security Initiative. Poland is party to numerous international agreements regulating the prevention of the proliferation of weapons of mass destruction.

* The full text of the information provided by the Government of Poland is available on the website of the Office for Disarmament Affairs (http://www.un.org/disarmament). An executive summary was provided for inclusion in the present report.

2. Poland does not possess any weapons of mass destruction or their components. Therefore, there is no direct threat of spreading weapons of mass destruction or the technologies of their production from Poland. Potential threats might be related to illegal trafficking of dual-use items. An important step element of the Polish strategy against the proliferation of weapons of mass destruction is the 2003 European Strategy against Proliferation of Weapons of Mass Destruction and the EU New Lines for action in combating the proliferation of weapons of mass destruction and their delivery systems (December 2008). In 2008 Poland implemented on a national basis two Conventions of the Council of Europe: (a) Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism; and (b) Convention on the Prevention of Terrorism. Furthermore Poland has taken numerous steps in order to implement the PSI Statement of Interdiction Principles and to prevent the acquisition of weapons of mass destruction by terrorists. On 14 May 2009 the motion for ratification of the International Convention for the Suppression of Acts of Nuclear Terrorism was submitted in order to continue the ratification procedure.

3. Moreover, in 2008 Poland further strengthened existing, and established new, coordination and cooperation mechanisms for the fight against the proliferation of weapons of mass destruction. The Government Security Centre was created. It is responsible for the analysis of current threats, the preparation of crisis management procedures, the supervision of the validity of crisis response plans and the coordination of the institutions and services competent in matters of crisis management.

4. As far as preventing and countering terrorism are concerned, a Counter-terrorist Centre (CAT) was created in October 2008. Its main goal is to increase the capability to anticipate a possible terrorist attack, including an attack with the use of weapons of mass destruction, as well as to coordinate the efforts of the various State institutions involved in the anti-terrorist protection of the nation and the State.

Qatar

[Original: Arabic]
[14 April 2009]

1. Further to General Assembly resolution 63/60 on measures to prevent terrorists from acquiring weapons of mass destruction, the State of Qatar supported that resolution and was one of the first States to implement Security Council resolution 1540 (2004) by establishing a committee for arms control, disarmament and the non-proliferation of weapons of mass destruction, including nuclear, chemical and biological weapons.

2. The State of Qatar issued an instrument of accession to the Treaty on the Non-Proliferation of Nuclear Weapons on 29 January 1989 and, later that year, issued Decree No. 38 approving accession to that Treaty.

3. Qatar also signed the Comprehensive Nuclear-Test-Ban Treaty on 24 September 1996 and issued Decree No. 54 of 1999 ratifying that Treaty on 8 December 1999. It also ratified the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction on 4 July 2001 by means of Decree No. 32 of

2001. Qatar ratified the Chemical Weapons Convention by means of Decree No. 58 of 25 August 2003.

4. Qatar has established the National Counter-Terrorism Committee as well as the National Arms Control Committee, which is the body responsible for studying draft international instruments on prohibition of weapons, reviewing related legislation and representing Qatar abroad. The latter issued Law No. 17 of 2007 on the prohibition of chemical weapons.

5. Preparations are currently under way for the issuance of a law prohibiting biological weapons, as well as a law on nuclear material.

6. Qatar also hosted a workshop, which took place in March 2009, on the implementation of Security Council resolution 1540 (2004) organized by the Office for Disarmament Affairs with funding from the European Union and the Governments of the United Kingdom, Norway and the United States of America.

7. In his opening address to the workshop, the Chairman of the National Arms Control Committee emphasized the need to begin creating an international database covering all States, including those that had not ratified the Non-Proliferation Treaty, in order to link the information portals of States and facilitate the exchange of information on nuclear, chemical and biological substances, particularly dual-use substances, whether imported by States or in transit through their territory. He also stressed the importance of notification and the issuance of transit permits as the most effective means of monitoring the secure transport of such substances and ensuring that they remain under proper control during the transport process and guarding against their misappropriation and misuse.

Tajikistan

[Original: Russian]
[28 May 2009]

In order to comply with General Assembly resolutions on the control and limitation of documentation prepared by the Secretariat and the guidelines of the Secretary-General for reports drafted and/or compiled by the Secretariat, the reply received from the Government of Tajikistan has not been reproduced since it exceeded the acceptable page limit. The full text of the reply is available on the website of the Office for Disarmament Affairs (http://www.un.org/disarmament).

Thailand*

[Original: English]
[26 May 2009]

1. Thailand has continuously undertaken and strengthened national measures, through the works of designated national focal points and various legal instruments, to support the international efforts to prevent terrorists from acquiring weapons of mass destruction and related materials and technologies.

* The full text of the information provided by the Government of Thailand is available on the website of the Office for Disarmament Affairs (http://www.un.org/disarmament). An executive summary was provided for inclusion in the present report.

2. Regarding additional relevant measures, at the national level, Thai concerned agencies are in the process of developing an integrated export control system, incorporating licensing and enforcement, to enhance Thailand's capability in controlling weapons of mass destruction-related materials, particularly sensitive dual-use items.

3. Intelligence cooperation and regional/international mechanisms for information-sharing between exporting and importing countries should be developed so as to monitor and strictly control weapons of mass destruction and weapons of mass destruction-related materials, as well as to alert concerned authorities on suspicious cases. In this regard, points of contact of each country for information-sharing should be designated.

4. As a capacity-building measure, training courses and workshops should be arranged for concerned Thai authorities to exchange views and experiences on how to effectively detect, deter, prevent and combat the transport of illicit weapons of mass destruction and related materials as well as trafficking and brokering which is consistent with international law. Support from more advanced countries in this regard will be welcome.

Ukraine

[Original: Russian]
[27 April 2009]

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III. Information received from international organizations

A. United Nations system

International Atomic Energy Agency

[Original: English]
[17 June 2009]

1. The International Atomic Energy Agency (IAEA) implements a comprehensive plan for strengthening nuclear security, including preventing acquisition by non-State actors of nuclear explosive devices. For effective assistance and coordination, the Agency has expanded the use of Integrated Nuclear Security Support Plans, which serve as a reference and framework for implementing nuclear security activities in States.

2. With the aim of assessing the status of States' technical and administrative arrangements for nuclear security, the Agency continued to offer advisory service

missions, fact-finding missions and technical visits. Twenty-one advisory service missions were carried out in 2008.

3. The Illicit Trafficking Database (ITDB) is the Agency's information system on incidents of illicit trafficking and other unauthorized activities involving nuclear and other radioactive material. As of 31 December 2008, it benefited from the participation of 103 IAEA Member States and 1 non-Member State. Also as of that date, States had reported and otherwise confirmed 1,562 incidents to the ITDB, of which 336 involved the seizure of nuclear material or radioactive sources from persons who possessed them illegally and, in some cases, attempted to smuggle them across borders.

4. Supporting the development of nuclear security education and training continued to be a priority. The Agency continued to provide nuclear security training to improve and expand the practical nuclear security skills of technical and non-technical personnel in States. More than 1,600 participants from 90 countries participated in the 63 training events held during 2008.

5. The Agency also continued its involvement in projects to secure, through repatriation, disused highly enriched uranium (HEU) research reactor fuel. It assisted in the shipment of more than 175 kg of spent HEU fuel to the Russian Federation. In August 2008, the removal and repatriation of 7 kg of US-origin spent HEU fuel was prepared and managed under an IAEA contract, marking the first time the Agency played a hands-on role in repatriating such material to the United States.

6. Publications in IAEA Nuclear Security Series (NSS) are designed to help States establish a coherent nuclear security infrastructure; to comprise part of the international nuclear security framework; and to identify best practices for nuclear security. In 2008, the Agency published three NSS implementing guides: *Nuclear Security Culture, Preventive and Protective Measures Against Insider Threats* and *Security in the Transport of Radioactive Material*.

7. During 2008, the Agency's Nuclear Security Equipment Laboratory continued to provide technical support to States in national efforts to establish effective border controls. It provided 592 pieces of equipment to 24 States to improve detection and response capabilities.

8. Following the successful implementation of previous projects to assist States in ensuring the nuclear security of major public events, the Agency conducted projects with China and Peru for protecting major sporting and political events. The Agency also had initial discussions on nuclear security for future major public events to take place in China (2010 Shanghai EXPO), South Africa (2010 World Cup), the United Kingdom (2012 Olympics) and Poland and Ukraine (2012 Eurocup). Further information is available at: http://www-ns.iaea.org/security/NSP_2009.htm.

International Civil Aviation Organization*

[Original: English]
[29 May 2009]

1. The 36th Session of the ICAO Assembly adopted Resolution A36-19: *Threat posed to civil aviation by man-portable air defence systems (MANPADS)*, in order to strengthen the aviation community's efforts to address this emerging threat. Among other things, States are urged to exercise strict and effective controls on MANPADS and associated training and technologies, with a view to preventing such weapons from falling into the hands of terrorists.

2. With respect to items carried on board aircraft, ICAO has distributed detailed guidance material to States on restricting the carriage of liquids, aerosols and gels (LAGs). The guidelines were initially developed in response to discovery of an alleged plot to sabotage aircraft by assembling an explosive device while in flight; efforts are under way to develop and deploy new technology at airports capable of detecting hazardous substances within LAGs.

3. Progress continues to be made in developing and implementing measures aimed at enhancing the security of travel documents, including last year's dissemination of updated specifications for issuing and reading electronic ID cards used for travel. The sharing of information on all aspects of machine readable travel documents (MRTDs) and border control developments also remains a priority.

4. The ICAO Universal Security Audit Programme (USAP) continues its activities. As of 30 April 2009, audits of 31 Member States and an assessment of the European Commission aviation security inspection system have been completed under the second cycle of the programme, which is focused wherever possible on a State's capability to provide appropriate national oversight of its aviation security activities. The USAP audits have proven instrumental in identifying aviation security concerns and providing recommendations for their resolution. First-cycle audit follow-up missions validate the implementation of State corrective action plans and provide support in remedying deficiencies, and demonstrate a markedly increased level of implementation of ICAO security Standards.

5. Under its Implementation Support and Development (ISD) Programme, ICAO continues to provide Member States with assistance in developing and maintaining a viable and sustainable aviation security system. This support helps to rectify deficiencies that have already been identified under USAP. In 2008, the ISD Programme coordinated or provided direct assistance to 18 States.

6. Participation in the ICAO Aviation Security Point of Contact (PoC) Network, established for the communication of imminent threats to civil aviation, continues to grow. As of 5 May 2009, 94 States had joined the network.

* The full text of the information provided by the International Civil Aviation Organization is available on the website of the Office for Disarmament Affairs (http://www.un.org/disarmament). An executive summary was provided for inclusion in the present report.

International Maritime Organization

[Original: English]
[19 May 2009]

1. The International Maritime Organization (IMO) adopted, in 2005, Protocols to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (the so-called 2005 SUA Protocols). Neither of those Protocols is yet in force. Achieving their expeditious entry into force and global implementation is a major task for IMO in order to advance the fight against international terrorism, and their implementation is referenced in more than one planned output in the Organization's High-Level Action Plan.

2. The status of the 2005 SUA Protocols is as follows:

(a) Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation

- Required number of Parties for entry into force: 12 States
- Number of Signatories: 18
- Number of Contracting States as at 30 April 2009: 8

(b) Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf

1. Required number of Parties for entry into force: three States, with the proviso that it shall not enter into force before the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation has entered into force

2. Number of Signatories: 18

3. Number of Contracting States as at 30 April 2009: 6.

3. The worldwide acceptance and implementation of the 2005 SUA Protocols has become a major objective within the framework of technical cooperation activities in the field of maritime legislation. In this context, the Sub-Division for Legal Affairs of IMO has organized national seminars in Manila, the Philippines, in Colombo, Sri Lanka, and in Bangkok, Thailand. Other similar technical co-operation activities at national and regional levels are being considered in order to assist developing countries with the incorporation of the 2005 SUA Protocols into their national legislation and the effective implementation of these Treaties, once they have entered into force.

United Nations Office on Drugs and Crime*

[Original: English]
[20 May 2009]

1. Since 2006, the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime has increasingly been giving attention to the issue of nuclear, chemical and biological terrorism, as part of its ongoing technical assistance delivery on counter-terrorism legal and related capacity-building issues.

2. Specialized activities have been organized pursuant to Economic and Social Council resolution 2005/19 and recent General Assembly resolutions, which recognize the role of the Branch in assisting States in ratifying and implementing the International Convention for the Suppression of Acts of Nuclear Terrorism and other recent instruments, including the amendment of 2005 to the Convention on the Physical Protection of Nuclear Material of 1979, the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.

3. Numerous thematically focused regional workshops have been organized, most recently for States from Central and South-East Europe on international cooperation against terrorism (Budapest, 12-13 November 2008), for member States of the Commonwealth of Independent States and of the Collective Security Treaty Organization (Minsk, 16-18 January 2008) and for member States of the Gulf Council (Doha, 29-30 April 2008) in close cooperation with regional and specialized international organizations, in particular the International Atomic Energy Agency (IAEA), and with the participation of specialized bodies, such as the Security Council Committee established pursuant to resolution 1540 (2004).

4. In addition to the regional workshops, the Branch has also been organizing specialized national-level legislative drafting workshops on the criminal law aspects of the universal legal framework against nuclear terrorism (Yerevan, 18-19 February 2009; Dhaka, 6 and 7 May 2008; Kiev, 10-14 March 2008; and Belgrade, 19-20 February 2008) and on the criminal law aspects of the universal legal framework against nuclear, chemical and biological terrorism (Ashgabat, 24-27 November 2008).

5. The Branch has further provided legislative expertise for activities organized by other international and regional organizations, including the International Symposium on Nuclear Security co-organized with IAEA (Vienna, 30 March-3 April 2009); the nuclear security recommendation documents meetings, co-chaired with IAEA (Vienna, 23-27 March 2009 and 17-21 November 2008); the IAEA regional workshop on implementing legislation in nuclear security for African countries (Vienna, 8-10 October 2008); and the meeting on the international legal underpinning for prosecution of illicit transfer of weapons of mass destruction materials and nuclear terrorism, organized by the Global Initiative against Nuclear Terrorism (Garmisch-Partenkirchen, 4 and 5 September 2008). The Branch has lectured at the International School of Nuclear Law (Montpellier, France, 29 August 2008).

* The full text of the information provided by the United Nations Office on Drugs and Crime is available on the website of the Office for Disarmament Affairs (http://www.un.org/disarmament). An executive summary was provided for inclusion in the present report.

B. Other international organizations

Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organization

[Original: English]
[29 May 2009]

1. The Comprehensive Nuclear-Test-Ban Treaty prohibits "any nuclear weapon test explosion or any other nuclear explosion" and requires States Parties to prohibit and prevent any such nuclear explosion at any place under their jurisdiction or control.

2. The Treaty contributes to preventing nuclear weapons from falling into the hands of non-State actors, including terrorists and terrorist networks, by functioning in tandem with other international agreements and measures. With more fissile material in circulation, and more actors handling that material, the Treaty helps strengthen the international legal system to prevent nuclear terrorism, providing a last barrier against nuclear weapon test explosions or any other nuclear explosion. In addition, the capacity-building activities and programmes of the Preparatory Commission contribute to strengthening subregional, regional and international cooperation in this area.

3. A number of States have already brought into force the penal provisions criminalizing the act of carrying out a nuclear explosion or causing, encouraging, preparing for or in any way intentionally participating in such an explosion. Some States, at the time of ratifying the Treaty, amended their penal code with immediate effect. Others had already adopted such legislation as nuclear-weapon-free-zone States. By bringing such legislation into force, the State reduces the likelihood that its territory could become a safe haven for non-State actors, including terrorists and terrorist networks.

4. The Provisional Technical Secretariat of the Preparatory Commission carries out a programme of technical assistance through which it provides technical advice and legal assistance to States signatories concerning the legal and administrative measures necessary for implementation of the Treaty, including:

- Conducting regional, subregional or national seminars and workshops dealing in part with national implementation measures. States are encouraged to make use of these events to exchange experiences in national implementation of the Treaty;
- Assisting States signatories in assessing technical needs and the possible approaches, as well as providing comments on eventual draft legislation and support during the internal approval process;
- Maintaining a database of national implementation measures adopted by States Parties. Examples of national legislation and a survey of the texts are available from the Secretariat upon request;
- Preparing documentary information on national implementation measures, which is made available on the public website of the Preparatory Commission (http://www.ctbto.org/member-states/legal-resources);
- Cooperating with international organizations and non-governmental organizations in events devoted to the establishment and national implementation of counter-terrorism and non-proliferation measures.

North Atlantic Treaty Organization*

[Original: English]
[25 May 2009]

1. The North Atlantic Treaty Organization (NATO) policy framework is stipulated in the Alliance's strategic concept of 1999 and, more recently, in the Comprehensive Political Guidance of 2006. In the Comprehensive Political Guidance, NATO member States expressed their concern that terrorism and the spread of weapons of mass destruction were likely to be the principal threats to the Alliance over the next 10-15 years; most dangerously in the case of terrorists armed with weapons of mass destruction.

2. In response to those threats, the Alliance will enhance its political efforts to reduce dangers arising from the proliferation of weapons of mass destruction and their means of delivery. In the meeting of the North Atlantic Council at the summit, the Heads of State and Government issued a "Declaration on alliance security", reaffirming that NATO will continue to play its part in reinforcing arms control and promoting nuclear and conventional disarmament. NATO will therefore continue to support existing multilateral non-proliferation agreements. The principal goal of the Alliance and its member States remains to prevent proliferation from occurring or, should it occur, to reverse it through diplomatic means.

3. In April 2009, at the Strasbourg/Kehl summit, NATO Heads of State and Government again condemned all acts of terrorism as criminal and unjustifiable and reiterated their determination to fight this scourge, as long as necessary and in accordance with international law and the principles of the Charter of the United Nations.

4. The Alliance will continue to follow the broad approach to security of the 1999 strategic concept and perform the fundamental security tasks it sets out, namely security, consultation, deterrence and defence, crisis management and partnership.

5. In the light of the new threats, NATO security is increasingly tied to that of other regions. The Alliance continues to provide an essential transatlantic dimension to the global response against terrorism. Allies remain committed to dialogue and cooperation with partners and other international organizations to fight terrorism and the proliferation of weapons of mass destruction, and reiterate their determination to protect Allies populations, territories, infrastructure and forces against the consequences of terrorist attacks and the potential use of weapons of mass destruction, especially those including hazards created by the deliberate release of CBRN (chemical, biological, radiological, nuclear) toxic industrial materials.

* The full text of the information provided by the North Atlantic Treaty Organization is available on the website of the Office for Disarmament Affairs (http://www.un.org/disarmament). An executive summary was provided for inclusion in the present report.

Organization for Security and Cooperation in Europe*

[Original: English]
[10 March 2009]

1. In 2008, the Organization for Security and Cooperation in Europe (OSCE) continued to contribute to international efforts in preventing terrorists from acquiring and using weapons of mass destruction and related activities. Although OSCE is not directly engaged in weapons of mass destruction-focused efforts, it promotes and gives technical assistance in implementing Security Council resolution 1540 (2004), inter alia, by developing a best practice guide to prevent individuals and organizations, including terrorist groups, from obtaining and proliferating nuclear, chemical and biological weapons and their means of delivery in the OSCE area. Related activities focus on providing capacity-building assistance in complying with the universal anti-terrorism conventions and protocols, such as the International Convention for the Suppression of Acts of Nuclear Terrorism and the Convention on the Physical Protection of Nuclear Material. These activities predominantly support and promote weapons-of-mass-destruction-specific and other technical assistance provided by other organizations and seek to enhance international cooperation.

Organisation for the Prohibition of Chemical Weapons

[Original: English]
[28 May 2009]

1. The Organisation for the Prohibition of Chemical Weapons, within the clear boundaries of its mandate, continues to contribute to the international community's efforts in the area of counter-terrorism. This has been undertaken both through the promotion of the Chemical Weapons Convention's full implementation, as agreed by the Organisation for the Prohibition of Chemical Weapons Executive Council (hereinafter "the Council") in 2001 (EC-XXVII/DEC.5, dated 7 December 2001), and in the context of cooperation with the United Nations.

2. The Council has established an Open-Ended Working Group on Terrorism, whose task is to examine further how the Organisation for the Prohibition of Chemical Weapons can contribute to global anti-terrorism efforts. The Technical Secretariat (hereinafter "the Secretariat") continues to provide support to the work of the Open-Ended Working Group on Terrorism, which remains a key forum for the sharing of information on national and international experiences in counter-terrorism potentially involving weapons of mass destruction — more specifically, chemical weapons. The second special session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (hereinafter "the Second Review Conference"), which was held from 7 to 18 April 2008, reaffirmed the autonomous and independent status of the Organisation for the Prohibition of Chemical Weapons and took cognizance of the resolutions of the United Nations on combating terrorism. The Second Review Conference, in this regard, invited States Parties to consult and cooperate both bilaterally and regionally

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on ways to prevent terrorists from acquiring and/or using chemical weapons. The Second Review Conference also took note of the work of the Organisation for the Prohibition of Chemical Weapons Open-Ended Working Group on Terrorism.

3. The Organisation for the Prohibition of Chemical Weapons is encouraged by the explicit recognition of its role in the global anti-terrorism efforts being undertaken by the United Nations, as defined in General Assembly resolution 60/288 on the United Nations Global Counter-Terrorism Strategy.

4. On 2 December 2008, the United Nations General Assembly adopted resolution 63/48 on the implementation of the Chemical Weapons Convention. The resolution stressed that the full and effective implementation of all provisions of the Convention, including those on national implementation (article VII) and assistance and protection (article X), constitutes an important contribution to the efforts of the United Nations in the global fight against terrorism in all its forms and manifestations.

5. Following concerns expressed at both the First and Second Review Conferences that chemical facilities might become subject to attacks or other incidents that could lead to the release or theft of toxic chemicals, the Secretariat encouraged States Parties to exchange experiences and discuss related issues. The Organisation for the Prohibition of Chemical Weapons also contributes to enhancing the security of chemical facilities by developing the role of the organization as a platform of support for global cooperation in lessening the chemical threat by promoting awareness of chemical security best practices and by fostering cooperation among professionals in the chemical field.

Organization of American States*

[Original: English]
[31 May 2009]

1. The Organization of American States (OAS) maintains its position on the control of weapons of mass destruction, chemical, biological, radiological agents and non-proliferation, through a number of OAS General Assembly resolutions, commencing with AG/RES. 2298 (XXXVII-O/07) entitled "Consolidation of the regime established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)". More recently, at the thirty-eighth regular session of the OAS General Assembly, in June 2008, the OAS member States clearly articulated support for United Nations Security Council resolution 1540 (2004) in AG/RES. 2358 (XXXVIII-O/08), entitled "Support for the implementation at the hemispheric level of United Nations Security Council resolution 1540 (2004)". The resolution calls on member States to take effective steps to comply with the resolution, including, inter alia, reiterating their position on support for Security Council resolution 1540 (2004), urging the OAS Committee on Hemispheric Security to keep this issue on the Committee agenda and requesting the Permanent Council to support these initiatives through the Committee.

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2. OAS remains seized of this issue through its various entities, including the Committee, the primary body which has policymaking authority, and the Secretariat of the Inter-American Committee against Terrorism, the leading body with programmatic capabilities on this issue within the Secretariat for Multidimensional Security. Through these and other entities in the organization, OAS has undertaken a variety of activities to facilitate implementation of Security Council resolution 1540 2004) in its member States through collaboration with the key international, regional and subregional stakeholders. These include: the Security Council Committee established pursuant to resolution 1540 (2004), the United Nations Office for Disarmament Affairs, the International Atomic Energy Agency, the Organisation for the Prohibition of Chemical Weapons, the Stimson Center, key subregional organizations and primary donor countries in the western hemisphere, such as Canada and the United States of America.

3. OAS initiatives, including the meeting of the Committee on Hemispheric Security in Buenos Aires in May 2008 have consistently urged member States to comply with Security Council resolution 1540 (2004) and focused on seeking new and innovative methods of compliance. The recent request to the Security Council Committee established pursuant to resolution 1540 (2004) by the Caribbean Community for technical assistance in implementing Security Council resolution 1540 (2004) in its member States — the first such region-wide request — and the rapid response by donors to this request demonstrate the commitment to compliance with the resolution by OAS, its member States and other key stakeholders. OAS remains committed in its efforts to urge compliance by all its members States.

Pacific Islands Forum secretariat

[Original: English]
[2 March 2009]

1. During 2008, the Pacific Islands Forum secretariat has continued to work with its 16 member countries, 14 of whom are small island developing States, on a range of security and disarmament issues.

2. Nuclear non-proliferation remains important to Forum member countries, and the secretariat has continued its activities in support of the South Pacific nuclear-weapon-free zone, as well as dialogue with the United Kingdom of Great Britain and Northern Ireland, France and Japan on the safety and security of civil nuclear shipments through the Pacific Ocean. Further, the secretariat has provided practical assistance to the Comprehensive Nuclear-Test-Ban Treaty Organization to convene a regional workshop for Pacific island States held in Apia in May 2008 on ratification of the Comprehensive Nuclear-Test-Ban Treaty and its implementation.

3. The Forum secretariat supports members' compliance with international counter-terrorism obligations, including through hosting a United Nations Office on Drugs and Crime counter-terrorism expert at the secretariat, and convening a regional counter-terrorism working group in conjunction with the Government of New Zealand. The workshop is supported by the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime, as well as representatives of the Counter-Terrorism Committee Executive Directorate and the Expert Group of the Security Council Committee established pursuant to resolution 1540 (2004). Their attendance ensures that the working group is informed of relevant global counter-

terrorism developments and facilitates an effective dialogue on the availability of technical assistance to give effect to international counter-terrorism requirements.

4. The secretariat also continues to work with members and international partners on other regional priorities, including drafting of security-related legislation, enhancing capacity for border security and strengthening maritime security in the region. The Regional Model Counter-Terrorism and Transnational Organized Crime bill has also been completed and the Forum secretariat is now working with each Forum island country Attorney-General to adapt the model law to ensure compliance with the legislative priorities of the Nasonini Declaration.

5. The Nasonini Declaration deals with matters pertaining to counter-terrorism, terrorism financing, drug trafficking, weapons control, people smuggling and human trafficking. In 2007, the secretariat completed the Model Law on Counter-Terrorism and Transnational Crime. The Forum secretariat's drafting assistance has been extended to the 14 small island developing State member countries. The adaptation of the Model Law takes the form of a new bill (for those countries that did not have counter-terrorism legislation) or a "gap-filling" bill for those that have counter-terrorism legislation.